

**STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION**

Meeting of the Commission  
February 23, 2010  
10:00 a.m.

James R. Thompson Center  
Murdock Room - IDHS  
Suite 5-300  
100 West Randolph Street  
Chicago, IL 60601

**MINUTES**

PRESENT:

**Commissioners**

In Chicago

Martin R. Castro, Chairman  
David Chang  
Charles E. Box  
Robert Enriquez  
Nabi Fakroddin, P.E., S.E.  
Marylee V. Freeman  
Sakhawat Hussain, M.D.  
Spencer Leak, Sr.  
Munir Muhammad  
Rozanne Ronen  
Gregory Simoncini  
Diane M. Viverito

In Springfield

Marti Baricevic

**Staff**

N. Keith Chambers  
Reva Bauch  
LaNade Bridges  
Michael J. Evans  
Dr. Ewa I. Ewa  
Donyelle L. Gray  
Evelio Mora  
Harriet Parker  
Christine Welninski

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**Members of Public:** None

**NOTICE:**

Public meetings and closed meetings of the Illinois Human Rights Commission are audio recorded.

**I. Call to Order**

On February 23, 2011, at 10:01 a.m., Chairman Martin R. Castro called to order a meeting of the Illinois Human Rights Commission.

Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., it was determined that:

- 1) A quorum of the public body was present at the meeting.
- 2) Commissioner Muhammad joined the meeting at approximately 10:10 a.m.
- 3) Commissioner Leak joined the meeting at approximately 10:18 a.m.

**II. Consideration of Minutes**

January 26, 2011

The Commission voted to approve the minutes of the January 26, 2011, meeting as submitted by staff. Motion to approve the minutes made by Commissioner Freeman and seconded by Commissioner Enriquez. Motion carried 12-0.

**III. Staff Reports**

A. N. Keith Chambers, Executive Director

Mr. Chambers reported there has been no new ruling in regards to the ALJ unionization and appellate ruling as of today. Mr. Chambers will continue to monitor and seek clarity from CMS. There are no changes in the statute for FY 2011 budget proceeding since the last reporting period. OMB preparation for the Governor's annual budget has already taken place and the ISL has been submitted. He also stated that within the Governor's budgets book, as part of HRC's budget the Illinois Torture Inquiry and Relief Commission's (TIRC) appropriated sum is part of HRC's budget. HRC is still seeking the FY 2011 appropriation lump sum of \$307,000, which has not been received. HRC continues to press to get this deposit; TIRC now have staff and office space in the Bilandic building which means bills will be due soon. Chairman Castro stated the lump sum is supposed to come from the Governor's discretionary funds, Mr. Chambers concurred.

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Mr. Chambers reports that CMS has sent copies of the English, Spanish, and Polish, version of the 2010 Annual Report. He will send this information to Donyelle to be published on the website. As of today this item is considered closed.

Mr. Chambers reports that several pieces of legislation have been introduced by House Speaker Madigan, a couple of shell bills. President Cullerton also introduced several shell bills which will be used for appropriations. Mr. Chambers distributed hand-outs of the House Bills referenced in his report and mentioned nine (9) additional pieces of legislature that has been introduced not reflected in his report: SB 2153, introduced by Senator Lightfoot, the focus has to do with discrimination based on unemployment status or gaps in employment and prohibited activity. She also introduced SB 1284 with regards to prohibited activity for inquiring into or use of arrest criminal charges and records for employment, SB 1308 introduced by Senator Sandoval, provides for greater awards of damages for violations against women employees, HB 1551 introduced by Representative Yarbrough, the focus deals with prohibition on real estate transactions and source of income basis, HB 1552, introduced by Representative Nybo, the focus deals the HRC adopting the EEOC Decision. The most recent to be introduced is HB 1564 Introduced by Representative Mayfield, which has to do with making decisions based on arrest records.

Mr. Chamber received an email from the Office of Legislative Affairs for the Governor; they have identified a liaison to take the lead on legislative affairs for HRC and The Department that will be introduced to Mr. Chambers sometime next week.

Mr. Chambers reported that the planning for the Diversity Dinner has resumed, staff has submitted samples questions to engagement and stimulate discussion. He had the opportunity to present the idea to several entities, such as the Cultural Affairs Department at, the University of Illinois in Springfield, the Illinois Institute of Technology Cultural Affairs, The City of Chicago Cultural Affairs, he also had the opportunity to highlight the idea with the Illinois Municipal Association of Human Relations Councils, which represents about twenty (20) different organizations through-out the State. They were excited and wanted to hear more about the Diversity planning. Mr. Chambers also had the opportunity to attend the IMRHA Conference in Springfield. He stated it was an interesting conference and a good exchange of information that explained what is being done in particular communities. There were about 10 Illinois communities represented. He stated it was a good conference and well attended.

In response to Chairman Castro's question regarding the bills submitted to the legislative panel to review and decide whether or not HRC should take a position. Mr. Chambers explained that bills are first given to senior staff to get their opinions on how the bill will impact the Commission's operation, it's then sent to the legislative committee with HRC's input, HRC then waits for the Legislative Committee to express if/or what type of position HRC should take. In response to Chairman Castro's question of HRC taking an active position in support of or in opposition of any bills, Mr. Chambers explained that HB 1509 (Request for Review) was moved from DHR to HRC. HRC supported and pushed the legislation through the General Assembly, beyond that HRC has not taken active pro or against position on any legislation. Commissioner Simoncini requested that Mr. Chambers circulate the bills numbers to the Commissioners. Mr. Chambers will send an

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email to each Commissioner with detailed instructions on how to access the bill on the State website.

Commissioner Hussain suggested that HRC Commissioners send comments to the legislative committee and the Chair regarding legislative bills. Mr. Chambers responded that setting up a network to communicate via email is great because legislative bills move fast. Being able to communicate to legislation that HRC want to have a present requires quick actions. Chairman Castro suggested that Commissioners without an email addresses consider opening an account with Gmail or another entity to ensure everyone receives and is able to respond expediently. In response to Commissioner Simoncini request to combine redundant reports from the ED, CFO, and General Counsel Mr. Chambers stated he can streamline and consolidate the reports.

Chairman Castro commented that the Chicago Cultural Alliance Organization represents many of museums and other cultural institution from diverse ethnic communities' through-out Chicago and that this an organization to approach for the Diversity Dinner. The Chairman has spoken to their leadership in the past looking for an opportunity to work together. Mr. Chambers stated his excitement about the interest in the Diversity Dinner and that he has reached out to the City of Evanston's manager and the Village of South Holland which held Diversity Dinners for additional insight and logistics.

**B. Dr. Ewa I. Ewa, Chief Fiscal Officer**

Chief Fiscal Officer Ewa reported that the payment for the Legislative Liaison will not come from HRC's budget. The person is internal from Legislative Affairs. Dr. Ewa reported that nothing has changed regarding the budget and expenditure. The Budget has been submitted to the Governor's Office and has been approved. The ALJ's case is still pending the amount submitted for their increased salaries have been approved in the budget. Dr. Ewa is also waiting for the Governor's Office to transfer \$375,000, from TIRC into HRC's ledger, which has not been done. Also approved is \$600,000 of the Governor's discretionary appropriation to TIRC he still has to work with them to come up with a budget.

Dr. Ewa reports that TIRC now have an official Executive Director, TIRC need computer, telephones and additional furniture. He is waiting for the Governor's office to approve two e-par one for the staff attorney, and the other for the private secretary. Dr. Ewa stated he is hopeful that the e-par will be approved by the end of the week for the staff attorney. He also anticipates a start date for the private secretary by the second week of March. As of today, TIRC's equipment has been ordered but not delivered to the Bilandic Building. HRC will be paying the ED's salary hopefully the budget office will transfer the funds since a code has been established for TIRC.

Dr. Ewa also stated that HRC has been approved to spend the \$100,000 if it relates to all housing litigation; Chairman Castro and ED Chambers will decide how to deal with this issue. Chairman Castro stated that since HRC has developed a manner in which HRC can tap into these resources and indentifying which cases are house cases quantifying that into a dollar amount then putting in a request, this should continue as a

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regular course of action assuming that does will it consume the \$100,000. Dr. Ewa responded with no, since there are many housing cases, he can also deal with it by asking the appropriate questions and making sure what is done relating to housing litigation is directed towards the expenditure,. Chairman Castro questioned whether the expenditures could be use as an outreach that focuses exclusively on housing. The cost can be directed to the expenditures, HRC should begin to research this option, and this will also help with help the public.

Commissioner Simoncini questioned the year-to-date what accounts for the \$284,000 in additional expenditures, Dr. Ewa explained that the retirement has been included. Conversation ensued regarding the budget. The retirement has been included after the fact; the decision was made July 1, 2010. The Request for FY 2011 will include the retirement. Commission Simoncini questioned how much over budget will HRC be this year, between \$75-\$85 thousand. The budget will be adjusted for the budgeted amount so that it reflects the actual expenditures.

**B. Michael J. Evans, Chief Administrative Law Judge**

Chief ALJ Evans reported that the law section is ahead of what is coming in. Window complaints dropped last month. Chief ALJ Evans reviewed the Administrative Law Section statistics for January 2011. Thirteen cases were filed and twenty-eight cases were disposed. Judge Evans reported that the law section had a relatively small numbers of complaints from the Department and had much success getting more than twice the number of cases out that came in. In regards to the ALJ's unionization, the current status is the Union and the Labor Relation Board has filed petitions for leave for appeal to the State Supreme Court to get the Appellate Court decision overturned.

Chief Judge Evans reported institutions are requesting personal appearances by Commission personnel. Judge Borah participated in a mocked trial competition at the Will County Court House February 19. Coming up on March 5, Judge Borah and Assistant General Counsel Evelio Mora will speak at the LGBT Civil Rights Conference on March 4th and 5th, to explain the HRC processes.

Chief Judge Evans also reported that ALJ Michael Robinson will participate at a high school mock trial sponsored by the Illinois State Bar Association. Chief Judge Evans also had the opportunity to speak at the Human Rights Law Society, at the University of Chicago Law School.

**D. Harriet J. Parker, General Counsel**

General Counsel Parker thanked the Commissioners' for the Christmas holiday festivities, and a special thank to Commissioner Ronan for her efforts. Ms. Parker reminded the Commissioner of the Statement of the Economic Interests, if there are questions to let her know, and let her know if they have not received the Statements of

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Interests by April 4th. With respect to the Ethics Training she has received most of the signed acknowledgment, Ms. Parker suggested commissioners' complete the training and return the acknowledgment.

Ms. Parker reported that the General Counsel has also been visiting in the communities, Deputy General Donyelle and Assistant General Counsel Evelio participated in the 23rd Annual Midwest Public Interest Law Career Conference at Northwestern University. Donyelle solicited and received resumes and made appointments to interview students while Evelio manned a public interest table and answered questions regarding the Human Rights Commission. Ms. Parker stated that several students have been interviewed and have expressed interest in working the summer session. Deputy General Counsel stated she extended offers to a couple of students. She expressed there were some excellent candidates that interviewed.

Ms. Parker provided the Commissioners with a written statistical analysis of Request for Review the Month of January 2011. Ms. Parker reiterated that Bill Borah and Evelio will be participating at the LGBT Civil Rights Conference, if anyone is interested in attending, a site address has been provided in her report. Ms. Parker included two articles recently published articles in the AARP magazine: Can an army reservist be terminated from his full-time civilian job? ; and Age discrimination fight is revived.

Ms. Parker stated sent copies of a survey with attachment, not included were the agenda, or meetings minutes or 1000 orders used in the cases. The relevant items the Commissioners' was involved in are included in the survey report sent to the Governor's Office. Ms. Parker provided a calendar of the 2011 meeting calendar. With respect to the Torture Commission Ms. Parker attended the January 31st meeting and provided assistant with releasing a press release, and assisted with streamlining the minutes. Donyelle posted the minutes, agenda and created a separate page for TIRC on HRC's website. Ms. Parker did receive a request to complete a survey of the Revolving Door, from the Office of the Executive Inspector General. Mr. Chambers responded that the report is slightly different than last year's report. The focuses of the report are people who have left State to work for contractors by which the individual did business with or vice versa. Lastly, in honor of Black History Month, Ms. Parker disturbed flyer for the play: She's Got a Ticket to Ride; it a one woman play depicting Ms. Rosa Park's life. The play will be held at the Bilandic Building Friday February 28th at 12:00 p.m., anyone wanting to attend must RSVP.

Ms. Parker spoke to the eighth grade graduating class at Calvin High School on the west side of Chicago. Ms. Parker spoke on the topic of, Orders of Protection, and the laws surrounding them. Ms. Parker also spoke at the Chicago Black Neighborhood Associate,

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that provide program for ex-offender want information on criminal records expungement and the Human Rights Act as it relates to criminal of conviction and protection.

Chairman Castro thanked the staff for engaging in community activities, and encouraged the Commissioners who are also engaging in community activities to continue and also let HRC know of their participation. Chairman Castro also encouraged Commission that is not actively participating to be engaged. Chair Castro suggested that Mr. Chambers be the repository for this information to keep a master list of all of HRC's outreach efforts. Mr. Castro stated that the information can be useful HRC appears before the Appropriations and Legislative committees. HRC can show how it has engaged the communities and work outside of the adjudication work and is good information for the annual report.

**IV. Unfinished Business**

A. Diversity Dinner

The Diversity Dinner report was discussed in Mr. Chambers' report.

**V. New Business**

A. FY 2010 Annual Report Translations (Spanish/Polish)

Translation of the FY2010 Annual Report has been completed.

**VI. Executive Session**

Executive Session

Pursuant to the Open Meetings Act (5ILCS 120/2(c) (1)). The Commissioners voted to close a portion of the public meeting at 11:44 a.m. in order to discuss an internal personnel matter. Motion made by Commissioner Enriquez, seconded by Commissioner Muhammad. Motion carried 12-0.

At 12:20 p.m. the open meeting resumed.

**VII. Adjournment**

The meeting was adjourned at 12:23 p.m. Motion made by Commissioner Hussain with a second by Commissioner Enriquez. Motion carried 12-0.

Respectfully submitted,

Harriet Parker  
General Counsel